

3:22-mj-00087

STATE OF OREGON)
)
 ss. AFFIDAVIT OF CASSANDRA SOMMERS
County of Multnomah)

Affidavit in Support of a Criminal Complaint and Arrest Warrant

I, Cassandra M. Sommers, being duly sworn, do hereby depose and state as follows:

Introduction and Agent Background

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been since January 2021. I am currently assigned to the FBI's Portland Field Office. As a federal law enforcement officer, I am authorized to investigate and make arrests for violations of federal law, and to apply for federal search warrants. I graduated from the FBI Academy at Quantico, Virginia, after completing a 19-week course of instruction. I have acquired knowledge and information about criminal conduct and investigation from many sources, including formal and informal training, other law enforcement officers, investigators, informants, persons who I have interviewed, and my participation in investigations. I have investigated matters involving the sexual exploitation of children, including the online sexual exploitation of children, particularly as it relates to violations of Title 18, United States Code, Sections 2252A and 2422. I am part of the Portland Child Exploitation Task Force (CETF), which includes FBI Special Agents and Task Force Officers from Portland and Hillsboro, Oregon. The CETF is an intelligence-driven, proactive, multi-agency investigative initiative to combat the proliferation of child pornography/child sexual exploitation facilitated by an online computer. As part of my duties as a federal agent, I work with local, state, and other federal agencies on joint investigations of federal offenses.

2. I submit this affidavit in support of a criminal complaint and arrest warrant for Solomon Cook, for production and attempted production of child pornography in violation of 18

U.S.C. § 2251(a) and (e), and possession of child pornography in violation of 18 U.S.C. § 2252(a)(4)(B). As set forth below, there is probable cause to believe, and I do believe, that Solomon Cook committed production and attempted production of child pornography in violation of 18 U.S.C. § 2251(a) and (e), and possession of child pornography in violation of 18 U.S.C. § 2252(a)(4)(B).

Applicable Law

3. 18 U.S.C. § 2251(a) makes it a crime to knowingly employ, use, persuade, induce, entice, or coerce a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct or transmitting a live visual depiction of such conduct, if the defendant knows or has reason to know the visual depiction will be transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce, or if the visual depiction was produced or transmitted using materials that have been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer, or if the visual depiction has actually been transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce. 18 U.S.C. § 2251(e) makes it a crime to conspire or attempt to violate any subsection of 18 U.S.C. § 2251.

4. 18 U.S.C. § 2252(a)(4)(B) makes it a crime to knowingly possess, or knowingly access with intent to view, one or more books, magazines, periodicals, films, video tapes, or other matter which contain any visual depiction that has been mailed, or has been shipped or transported using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce, or which was produced using materials which have been mailed

or so shipped or transported, by any means including by computer, if the producing of such visual depiction involves the use of a minor engaging in sexually explicit conduct, and such visual depiction is of such conduct.

Statement of Probable Cause

5. SOLOMON COOK first came to the attention of federal law enforcement in January of 2022, when the parent of a minor victim reported that the user(s) behind two Instagram accounts had persuaded and enticed the victim to send a sexually explicit picture of herself, and then had threatened to distribute the image if she did not produce and send more. While acting in an undercover capacity and purporting to be a 13-year-old child, I made contact with the two Instagram accounts, which attempted to persuade me to produce sexually explicit images and videos. Through additional investigation, those Instagram accounts were traced back to COOK. A federal search warrant was executed at COOK's residence on May 11, 2022. During the search, COOK confessed to producing the nude image of the reporting minor victim, and to interacting with the undercover account. Additional incriminating evidence was found on COOK's phone.

6. Attachment A to the search warrant for COOK's residence mistakenly described COOK as 19 years old. COOK is 18 years old. He turned 18 in [REDACTED] of 2021, prior to the events described below.

Minor Victim 1

7. On January 1, 2022, a Portland resident called the FBI's National Threat Operations Center (NTOC) regarding activity involving Instagram accounts with the display names "nicky_sticky2" (hereinafter referred to as "Nicky") and "s_cheves21" (hereinafter

referred to as “Cheves”). The NTOC tip indicated that the caller believed the Nicky and Cheves accounts were involved in producing and receiving sexually explicit images of the caller’s 16-year-old daughter (hereinafter referred to as “MV1”). According to the tip, MV1 sent nude photos to the user(s) behind the accounts, who then threatened to send MV1’s nude images to all her friends on various social media platforms.

Forensic Interview of MV1:

8. On February 7, 2022, MV1 was interviewed by a Child/Adolescent Forensic Interviewer (CAFI) at the FBI Office in Portland, Oregon. During the interview, MV1 disclosed that Nicky initially approached her on Instagram in July 2021 and told her that she could get paid to send nude photos. MV1 refused the job and ignored Nicky. MV1 stated she initially ignored Nicky on Instagram because Nicky posted nude photographs of a person MV1 recognized as a minor female from another school in the Portland area, to Nicky’s Instagram story. The minor (hereinafter referred to as “MV2”) was only known to MV1 by a first name and one initial. MV1 said she communicated with MV2 and learned that Nicky and Cheves also coerced MV2 into sending nude photos, which they posted on Instagram. MV1 was unwilling to provide additional identifying information concerning MV2.

9. Nicky reapproached MV1 on Instagram on January 1, 2022. At that time, MV1 was sixteen but told Nicky that she was fifteen years old because she thought that would cause Nicky to leave her alone. Nicky replied that MV1’s age was fine and continued to ask her for nude photos. MV1 stated that she felt threatened into sending nude photos to Nicky and “the boss,” Cheves. MV1 sent Nicky multiple photos of herself clothed, as well as one image of herself naked. MV1 described this image as showing her chest and genital area, although she partially covered her breasts with her hair. After MV1 sent the photos to Nicky and Cheves, she

saw two of the photos posted on Nicky's Instagram story, with the words "slide up for Portland girls" at the bottom. One photo was of MV1 fully clothed in her bathroom, and the second photo was of MV1 nude, with Instagram stickers covering her breasts and genitalia. Additionally, MV1 disclosed that Cheves had posted the photo of MV1 fully clothed to Cheves's Instagram story with the words, "swipe up for this girl."¹

10. MV1 said at the end of her conversation with Nicky and Cheves, MV1's mother texted Nicky via Instagram and said she was reporting her to the police. Nicky told MV1's mother to not worry and that they were not going to distribute MV1's nude photo. Nicky said they were just trying to teach people a lesson about sending nude photos to strangers.

Review of Screenshots:

11. On February 7, 2022, I reviewed screenshots submitted by MV1's mother of the Instagram chats between MV1 and Nicky, and between MV1 and Cheves. Based on the flow of the conversations, it appears that pieces of the conversations may have been deleted. I know from my training and experience that when a user deletes an Instagram message, that message is no longer viewable by either the user who deleted it or the other user in the conversation.

Excerpts from the January 1, 2022 chats follow:

Minor Victim 1: I'm so confused

Nicky: Good, here's the short version, you can either come work with me, make bank, and life's good, or everything gets out, 1 chance, I really suggest the former

[Break]²

Nicky: Send a full body pic

Nicky: Live

MV1: Girl I'm on my period so not rn

¹ Instagram users can insert links to web pages in their Instagram stories, and a user viewing the story can follow the link by "swiping up" on the story. Neither MV1 nor I followed any links from Instagram stories posted by the Nicky account.

² In the interest of brevity, some portions of the conversation are omitted from this affidavit.

Nicky: Sorry hun it's yes or no

MV1: Girl what

Nicky: If it's a no then everything gets out remember

MV1: What gets out?

MV1: Hm if I see what I sent you earlier I'll send a full body pic

Nicky: I'm not allowed to show u but your nudes girl

MV1: Why can't u show me?

Nicky: It's against the rules

[Break]

MV1: U send one first

MV1: Also where u gonna leak my shit?

Nicky: Lmao nice try either you obey or everything gets out. It gets leaked on Insta, school districts, Facebook, twitter, everywhere. It's happened to me, the sugar baby before me and the one before her

MV1: Ok chill I'll send

Nicky: Im Sorry we went through it too but trust me it's the easy way

[Break]

MV1: I sent it

Nicky: More light

MV1: Ok

Nicky: Girly that's not all you're gonna be sending today. Brace yourself but it's better than the [illegible]³ way. Just do exactly as you're [illegible] and it'll all be fine

[Break]

Cheves: You know the pose and the requirements

MV1: There

MV1: (Video sent with a symbol next to it indicating that the receiving user, in this case s_cheves 21, took a screenshot)

Cheves: Good, same thing, tilt the phone up a little, and shirt and pants off. Underwear and bra stay on for now.

MV1: Sir I'm on my period so I'm bleeding all over so I can't do that

Cheves: Too bad

MV1: U have blood kink?

Cheves: Nope it's too bad

[Break]

Cheves: Either obey or get leaked, you chose get leaked

MV1: No I obey

Cheves: Good, then same thing, tilt the phone up a little, and shirt and pants off.

Underwear and bra stay on for now.

MV1: Wait I have one question

³ At the time the screenshots were taken, a circular icon showing that the user had unread messages was displayed on the screen. This icon obstructed some of the text in the screenshot, which I have recorded as "[illegible]."

Cheves: Very well, you get one
MV1: Yay
MV1: Ok so can I see what photos ur gonna leak?
Cheves: Nope
[Break]
MV1: And If I send this pic
MV1: It's the last pic of the night
MV1: And no leaking shit unless I see what it is first
MV1: Sir
Cheves: Nope, you're done when I say you're done

Undercover Account

12. Between January 14, 2022, and January 19, 2022, while working in an undercover capacity, I sent a friend request to Nicky on the Instagram application. Within five minutes of the friend request, Nicky messaged the undercover account about a job opportunity as a “sugar baby.” Through the undercover account, I stated that I was only 13 years old or “about to be 14 years old.” When asked to explain the job, Nicky stated that it consisted of sending nude photos, videos, and video calls to an Instagram user Nicky referred to as “boss” (s_cheves21). Excerpts from the conversation are as follows:

Undercover Account: 4 what kind of pictures
Nicky: Nudes girly
Nicky: You do exactly what he says without question an he'll pay a lot more then that
Nicky: Now go work lol make some money hunnn
UA: I'm not going to lie I don't know what nudes really means
UA: Is it just pictures of me or do I have to be doing something in them
Nicky: It's videos, pics, an video calls of you gettin offff, dancing, twerking, anything he tells you to do
UA: Getting off?
Nicky: Have you never pleasured yourself hun?
UA: No
Nicky: Hmm well he'll tach you, just do whatever he says an it'll be sooo worth it.

Nicky stated that the boss's username was “s_cheves21” and to call him “sir” or “daddy” when addressing him. Nicky then directed the undercover account to message s_cheves21 telling him

her age and the job she wants.

13. At Nicky's request, I messaged Cheves from the undercover account stating that I was 13 and that I had heard about the sugar baby position. Cheves told the undercover account that she could make a lot of money sending videos and video calling Instagram users. Cheves then instructed the undercover account to go into the bathroom at school and send five videos of herself. Cheves told her that he would give her 40,000 dollars "flat." Cheves video-called the undercover account multiple times on the Instagram application and messaged her to "do what you are told" and to call him "sir" when she addressed him. Excerpts from the conversation on January 18, 2022, which lasted from approximately 8:41 a.m. to 11:15 a.m., are as follows:

Cheves: One video call lol

Cheves: When you answer start wit striping down and two fingers in okay?

Cheves: Well?

UA: Two fingers?

Cheves: Yep

UA: What do u mean

Cheves: Two fingers in?

Cheves: You ever orgasmed before?

UA: No

UA: In what

Cheves: Gotten off?

UA:.....

UA: I don't think I have

Cheves: Hmm, ig I'll have to tech you

Cheves: Are you ready to learn

UA: Ya

Cheves: Good, ft me prop the phone up, and wait for instructions

Cheves: Okay?

UA: I had to go back to class right quick

Cheves: Welp, better get back to the bathroom

[Break]⁴

⁴ In the interest of brevity, some portions of the conversation are omitted from this affidavit.

Cheves: Are you in the bathroom?

UA: No class

Cheves: Get to the bathroom and you'll start learning

Cheves: I'll teach you how to make yourself feel amazing

Cheves: there yet?

Cheves: ???

Cheves: Are you ready to work?

Cheves: Soooo you don't want 40k?

Cheves: Alr

UA: I'm too scared of being caught. Sry

Cheves: You won't be but okay

14. On March 9, 2022, using the undercover account's profile, I viewed an Instagram story posted on Nicky's account. The story was captioned "Girls that are tryna be sugar babys hmuuuu [hit me up]," followed by a series of three emojis, including one with dollar signs over its eyes. The second line of the caption read "Ma girls ONLYYYYY." From MV1's reports and my observations of activity on Nicky's account, it appears that Nicky is seeking out girls in one specific geographic area at a time, switching areas periodically. Based on this context, I believe that "Ma girls ONLYYYYY" means that Nicky was seeking responses to her Instagram story from girls in Massachusetts.

Instagram Search Warrant

15. On March 25, 2022, Magistrate Judge Youlee Yim You issued a federal search warrant authorizing the search of the "s_cheves21" and "nicky_sticky2" Instagram accounts. Meta produced the search warrant returns on March 28, 2022. An initial review of the account contents revealed that both accounts were registered with the same phone number, and that activity on the two accounts originated from the same IP address, as described in more detail below. Additionally, the returns for the "s_cheves21" account lists an account with display name "Nicolet" and ID number 3643179450 as a linked account; this matches the display name and ID

number for the “nicky_sticky2” account. This information shows that both accounts were created and accessed by the same user.

16. The search warrant returns showed that the user behind the accounts obtained sexually explicit images and videos of more than ten victims by promising payment, which he never sent. Instead, the user demanded additional images and videos of victims performing specific sex acts, often instructing them to penetrate themselves with objects found in their refrigerators. When a victim eventually refused to continue, the user threatened to distribute the sexually explicit images of the victim unless they continued to produce and send more images. At least four of the victims stated that they were under the age of 18. The user’s activity began before the earliest date covered by the search warrant, which was January 1, 2021, and continued at least until approximately the date of the warrant’s execution on March 28, 2022. In other words, the activity began before COOK turned 18, and continued after his 18th birthday in [REDACTED] of 2021.

Identification of Solomon Cook

17. Administrative subpoenas were served on Instagram for subscriber information associated with the Nicky and Cheves accounts. Instagram reported that the phone number XXX-XXX-6570⁵ and IP address 2601:1c2:1380:3c20:d1e7:f8a7:df4d:3103 were associated with both accounts and resolved to Comcast Cable in Beaverton, Oregon. The phone number was verified, meaning that the user entered a code sent by Instagram to that phone number to confirm that the number belonged to the user. At the time the phone number was used to register

⁵ The full telephone number is known to law enforcement, but is omitted from this affidavit to protect the privacy of the phone number’s current user.

the “s_cheves21” and “nicky_sticky2” Instagram accounts, the phone number was registered to Kamela Cook at [REDACTED] Portland, Oregon 97206.⁶ A search of public records and social media reveals that Kamela Cook is the mother of SOLOMON COOK.

18. The phone number XXX-XXX-6570, which was used to register the Instagram accounts, is attributed to SOLOMON COOK in police reports from two separate incidents occurring in 2017 and 2020. On May 22, 2017, Portland Police Bureau officers investigated an incident in which school officials reported that SOLOMON COOK had told a school employee that he had given another person money to buy him a gun and a knife. XXX-XXX-6570 is listed as SOLOMON COOK’s phone number in the report on that incident. On June 25, 2020, police officers in Lake Oswego responded to a report of a group of young males trespassing on the train tracks. While investigating, they encountered SOLOMON COOK, who provided the phone number XXX-XXX-6570.

19. The search warrant returns for the “s_cheves21” and “nicky_sticky2” Instagram accounts contained multiple conversations linking SOLOMON COOK to the accounts. In multiple direct message conversations, Nicky tells other users that “her” cell phone number is XXX-XXX-2204.⁷ Records produced by Comcast pursuant to a subpoena show that this number is currently registered to Kamela Cook at [REDACTED] Portland, Oregon 97206. Additionally, Nicky told multiple intended victims that “she” “work[ed] for Sol,” which appears to be a reference to SOLOMON. Nicky also told a victim that her “shit” was being posted on multiple platforms, and when the victim responded “what,” Nicky replied with “Oh, I was almost

⁶ This number is no longer registered to Kamela Cook.

⁷ The full telephone number is known to law enforcement, but is omitted from this affidavit in the interests of protecting personal information.

positive sol told you” and then stated “Yeah I work for him.”

20. Pursuant to the federal search warrant and subpoenas, Meta also produced IP records associated with the “s_cheves21” and “nicky_sticky2” Instagram accounts. Records produced by Comcast pursuant to a subpoena show that the IP address associated with activity on those accounts was registered to Kamela Cook at [REDACTED] Portland, Oregon 97206.

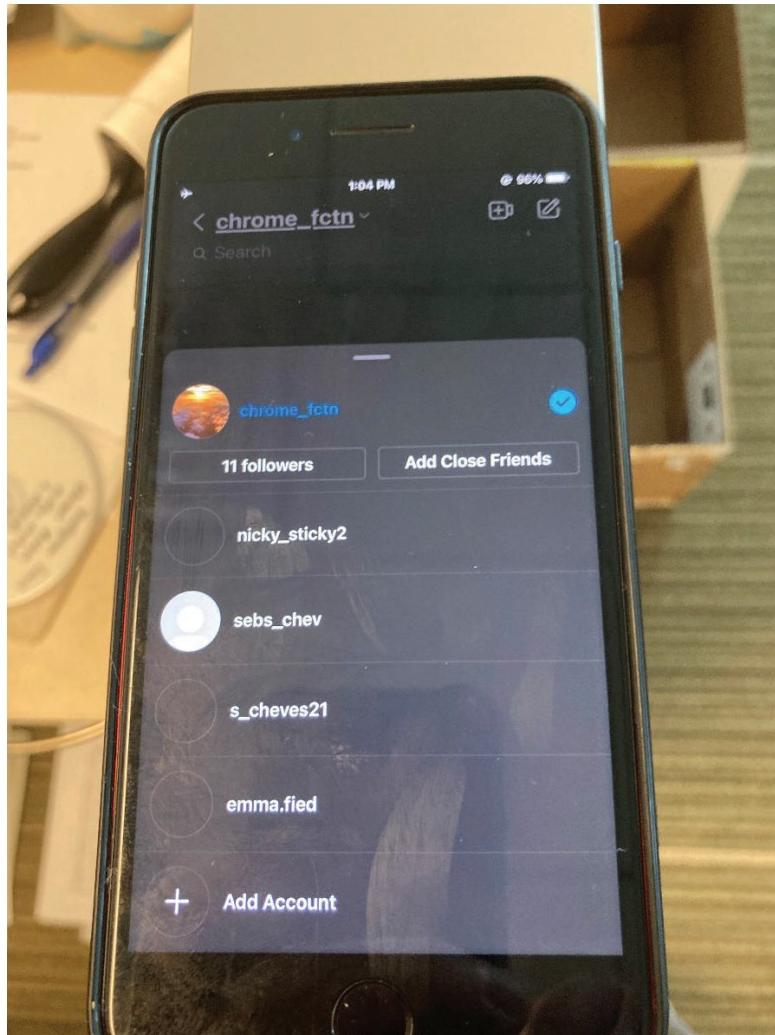
Residential Search Warrant

21. A federal search warrant was executed at COOK’s residence on May 11, 2022. A phone was seized from COOK.

22. COOK gave a recorded, Mirandized statement during the search. He initially claimed that his Instagram account had been hacked and that he hadn’t used the Nicky and Cheves accounts. He eventually admitted that he persuaded girls to send him “nudes” by pretending to be a sugar daddy. He further admitted that when girls wanted to stop sending him nudes, he would not allow them to stop. He stated that he saved the photos he received but put them in his deleted photos because his girlfriend didn’t like that he had nudes.

23. An iPhone 8 was seized from COOK’s bedroom, and COOK provided the passcode to unlock the phone. Investigators performed a brief manual examination of the phone while the phone was in airplane mode to prevent the phone from communicating with the internet. During the manual examination, an investigator opened the Instagram application on the phone. The username for the account had a dropdown arrow next to it. The investigator clicked on the dropdown arrow, which revealed a list of Instagram usernames that were available to be accessed from the device. Among the listed usernames were the usernames “s_cheves21”

and “nicky_sticky2.”



24. Investigators also located 459 deleted items in the phone’s “Photos” application. Investigators recovered the files, which restored them to the storage location from which they had been deleted by the user. Most of the 459 images were images of naked women and girls. I recognized some of them as images that COOK had solicited and received via Instagram, and which I had previously viewed in the Instagram search warrant returns. At least four of the people depicted in the images were girls who had informed COOK that they were under the age

of 18 at the time they sent him the images. These included MV1 and MV2, as well as one additional Instagram user who stated that she was 15 and another who stated that she was 17.

25. COOK possessed multiple naked images of MV1. The images show MV1 standing in front of a mirror with her shirt pulled up to expose her breasts. The images cut off just below her pubic area, which is unclothed with her pubic hair visible.

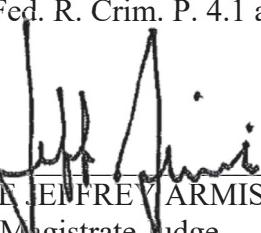
Conclusion

26. Based on the foregoing, I have probable cause to believe, and I do believe, that SOLOMON COOK committed Production and Attempted Production of Child Pornography in violation of 18 U.S.C. § 2251(a) and (e), and possession of child pornography in violation of 18 U.S.C. § 2252(a)(4)(B). I therefore request that the Court issue a criminal complaint and arrest warrant for SOLOMON COOK.

27. Prior to being submitted to the Court, this affidavit, the accompanying complaint and the arrest warrant were all reviewed by Assistant United States Attorney Mira Chernick, who advised me that in her opinion the affidavit and complaint are legally and factually sufficient to establish probable cause to support the issuance of the requested criminal complaint and arrest warrant.

Cassandra M. Sommers
Special Agent, FBI

Subscribed and sworn to by telephone in accordance with Fed. R. Crim. P. 4.1 at
8:10 am am/pm on May 12, 2022.


HONORABLE JEFFREY ARMISTEAD
United States Magistrate Judge